

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Stephen Brown	Confirmation No.:	2546
Serial No.:	10/605,547	Art Unit:	3735
Filed:	October 07, 2003	Examiner:	Robert L. Nasser
For:	System and method for monitoring air flow from a person.		

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 14, 2006

Dear Sir,

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue there from.

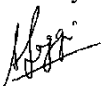
This Information Disclosure Statement is filed before the mailing date of a 1st Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)). Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications.

Applicant has e-filed copies of Foreign Patents and Non-Patent Literature.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-3831.

Respectfully submitted,

By 

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Attorney for Applicant

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/605,547
				Filing Date	October 07, 2003
				First Named Inventor	Stephen J. Brown
				Art Unit	3735
				Examiner Name	NASSER, ROBERT L
Sheet	1	of	3	Attorney Docket Number	6858.P001x13 / 014030.011

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-4,296,756	10-27-1981	Dunning et al.	
		US-4,730,253	03-08-1988	Gordon	
		US-4,731,726	03-15-1988	Allen, III	
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		US-5,019,974	05-28-1991	Beckers	
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		US-6,144,837	11-07-2000	Quy	
		US-6,151,586	11-21-2000	Brown, Stephen J.	
		US-6,161,095	12-12-2000	Brown	
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		US-6,248,065	06-19-2001	Brown	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				Filing Date	October 07, 2003
				First Named Inventor	Stephen J. Brown
				Art Unit	3735
				Examiner Name	NASSER, ROBERT L
Sheet	2	of	3	Attorney Docket Number	6858.P001x13 / 014030.011

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
		EP-0251520	01-07-1998	Fu, Ping W.		
		WO-95/20199	07-27-1995	Letzt, Alan M., et al.		
		WO-9529447	11-02-1995	Brown, Stephen J.		
		WO-97/08605	03-06-1997	Kellinger, Frederick J., et al.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ALBISSER, A.M. "Intelligent Instrumentation in Diabetic Management", CRC Critical Reviews in Biomedical Engineering, Vol. 17, No. 1, pp. 1-24.	
		BILLIARD, A., et al. "Telematic Transmission of Computerized Blood Glucose Profiles for IDDM Patients", Diabetes Care, (February 1991), Vol. 14, No. 2, pp. 130-134.	
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		MAKIKAWA, M., et al., "Microprocessor-Based Memory Device for Ambulatory Heart Rate and Physical Activity Recording", Methods of Information in Medicine, (1994), Vol. 33, No. 1, pp. 94-96.	
Examiner Signature		Date Considered	

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				Art Unit	3735
				Examiner Name	NASSER, ROBERT L
Sheet	3	of	3	Attorney Docket Number	6858.P001x13 / 014030.011

	MILES, LAUGHTON E., "A Portable Microcomputer for Long-Term Physiological Monitoring in the Home and Work Environment", Medical Monitoring in the Home and Work Environment, (1990), pp. 47-57.	
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	Complaint filed August 17, 2006, Abbott Diabetes Care Inc. v. Decom, Inc.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Electronic Acknowledgement Receipt

EFS ID:	1197589
Application Number:	10605547
Confirmation Number:	2546
Title of Invention:	A SYSTEM AND METHOD FOR MONITORING AIR FLOW FROM A PERSON
First Named Inventor:	Stephen J. Brown
Customer Number:	60683
Filer:	Sandeep Jaggi
Filer Authorized By:	
Attorney Docket Number:	6858.P001x13 / 014030.011
Receipt Date:	12-SEP-2006
Filing Date:	07-OCT-2003
Time Stamp:	18:08:59
Application Type:	Utility
International Application Number:	

Payment information:

Submitted with Payment	no
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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part	Pages
1	Foreign Reference	EP-0251250.pdf	307116	no	5

Warnings:					
Information:					
2	Foreign Reference	WO-95-20199.pdf	3274052	no	87
Warnings:					
Information:					
3	Foreign Reference	WO-95-29447.pdf	2383406	no	46
Warnings:					
Information:					
4	Foreign Reference	WO-97-08605.pdf	1019129	no	31
Warnings:					
Information:					
5	NPL Documents	Albisser---Intelligent-Instrumentation.pdf	1335502	no	24
Warnings:					
Information:					
6	NPL Documents	Billiard---Telematic-Transmission.pdf	367596	no	5
Warnings:					
Information:					
7	NPL Documents	Blood-Glucose-Monitors.pdf	1324939	no	19
Warnings:					
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8	NPL Documents	Horio---Clinical-Telecommunication.pdf	387952	no	4
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10	NPL Documents	Introducing-the-Next-Generation.pdf	457500	no	11

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12	NPL Documents	Kuykendall---Assessment-of-Self-Monitored.pdf	316320	no	5
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13	NPL Documents	Latman---Evaluation.pdf	486220	no	7
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15	NPL Documents	Miles---Portable-Microcomputer.pdf	639494	no	12
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17	NPL Documents	Poitout---Glucose-Monitoring.pdf	418993	no	6
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18	NPL Documents	Reis-Telemedicine.pdf	592006	no	9
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19	NPL Documents	_Short_NPL_Thomson_and_Vandenberg.pdf	685793	no	7

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20	NPL Documents	_Short_NPL_Velho.pdf	454090	no	8
Warnings:					
Information:					
21	NPL Documents	_Short_NPL_Complaint.pdf	191014	no	6
Warnings:					
Information:					
22	Information Disclosure Statement (IDS) Filed	10605547_2006_09_12_IDS_SHORT.pdf	234700	no	3
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<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p>					